

**GOVERNMENT OF TELANGANA
ABSTARACT**

Animal Husbandry Dairy Development & Fisheries Dept. – Jeep No.AP-36/A-9943 met with an accident on 24.01.2007 - Decretal orders issued in MVOP.No.60/2012 – MACMAMP.No.4362 of 2015 in MACMA(SR).No.31552 of 2015 filed against the orders of MVOP.No.60/2012 – Deposit of 50% of the decretal amount as per orders of the Hon'ble High Court – Sanction – Orders – Issued.

ANIMAL HUSBANDRY, DAIRY DEVELOPMENT & FISHERIES (V&F) DEPARTMENT

G.O.RT.No. 200

Dated: 05/12/2015
Read the following:-

- 1) Orders dt.08.09.2014 in M.V.O.P.No.60 of 2012 of the Chairman, Motor Accidents Claim Tribunal-cum- I Additional Chief Judge, City Civil Court, Secunderabad.
- 2) Orders dt.24.09.2009 of the IV Addl. Chief Metropolitan Magistrate, Hyderabad in C.C.No.66 of 2007 filed by Sub-Inspector of Police, Police Station, Osmania University, Hyderabad
- 3) Orders dt.22.09.2015 in MACMAMP.No.4362 of 2015 in MACMA(SR) No.31552 of 2015.
- 4) From the Commissioner of Fisheyes, T.S., Hyderabad, Lr.No.1457/A3/2012, Dated:17.10.2015.

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ORDER:-

In the reference 1st read above, Smt.Ghousia Begum and 4 others have filed M.V.O.P.No.60 of 2012 before the Chairman, Motor Accidents Claim Tribunal-cum- I Additional Chief Judge, City Civil Court, Secunderabad for compensation of Rs.7,00,000/- u/s 166 of M.V. Act for the death of Md.Hayath on 24.01.2007 at 5.40 PM due to hit by jeep bearing No.A.P.36/A-9943 owned by CEO, Fish Farmers Development Agency, Warangal. The Hon'ble Court has awarded decree directing the respondents to pay a compensation of Rs.7,00,000/- along with cost of the petition Rs.12,912/- and also interest @ 7.5% Per Annum thereon.

2. The Sub-Inspector of Police, Police Station, Osmania University, Hyderabad has filed a Criminal Case No.66 of 2007 before the IV Addl. Chief Metropolitan Magistrate, Hyderabad against the Driver of the jeep bearing No.A.P.36/A-9943 owned by CEO, Fish Farmers Development Agency, Warangal.

3. In the reference 2nd read above, the IV Addl. Chief Metropolitan Magistrate Hyderabad in CC.No.661/2007, the learned Magistrate clearly held that the driver of the said Jeep bearing No.AP36-A/9943 is found not guilty for the charges/offences u/s 304/A of IPC and so acquitted u/s 225 (1) of Cr.PC, which clearly goes to prove that there is no fault on part of the Driver of the Said Jeep and it is solely mistake of the deceased. Further in the said case, the Driver of the said vehicle clearly stated that the deceased climbed the road divider in order to cross the road and in that process slipped from the road divider and fell down on the road abruptly and thereby he (deceased) himself dashed the vehicle and dead

4. In the reference 3rd read above, the Government have filed a MACMAMP.No.4362 of 2015 in MACMA(SR) No.31552 of 2015 before the High Court of Judicature, Hyderabad against the operation of the Judgement of the order passed in MVOP.No.60 of 2012 on the file of Chairman, Motor Accidents Claims Tribunal-cum- I Addl. Chief Judge, City Civil Court, Secunderabad. The Hon'ble High Court in its order dt.22.09.2015 directed the petitioners to deposit 50% decretal amount along with proportionate cost and interest within a period of (8) weeks.

p.t.o.

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5. In the reference 4th read above, the Commissioner of Fisheries, Telangana State, Hyderabad has requested the Government to sanction the following amount of Rs.4,68,019/- to deposit the same as ordered by the Hon'ble High Court.

1. Date of submission of petition by the respondents:	---	04.08.2011
2. Decretal amount	--	Rs.7,00,000/-
3. Interest @ 7.5% from the date of petition to Probable date of depositing i.e.3.11.2015 (4 years 3 months)	---	Rs.2,23,125/-
4. Costs of the petition	---	Rs.12,912/-
	Total	---Rs.9,36,037/-
5. 50% of decretal amount along with Proportionate Costs and Interest		--Rs.4,68,019/-

6. The Government after careful examination hereby sanction an amount of Rs.4,68,019/- (50% of decretal amount along with Proportionate costs and interest) to the Commissioner of Fisheries, Telangana State, Hyderabad to deposit the same as ordered by the Hon'ble High Court in MACMAMP.No.4362 of 2015 in MACA(SR).No.31552 of 2015.

7. The expenditure sanctioned in para 6 above shall be debited to the head of account "2405 – Fisheries, 001 – Direction and Administration, S.H.(01)-Head Quarters Office - 500 – Other charges, 501 – Compensation (Charged)" and shall initially be met by way of an advance from Contingency Fund for which orders will be issued by Finance (BG) Department separately.

8. The Commissioner of Fisheries, Telangana State, Hyderabad is requested to take necessary action accordingly and also take necessary steps to recoup the amount to Contingency Fund by obtaining supplementary grant at an appropriate time.

9. This order issues with the concurrence of Finance (EBS.II) Department vide their U.O.No.541/239/A2/2015, dated.03.12.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SURESH CHANDA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Fisheries,
Matsya Bhavan,
Telangana State, Hyderabad.

Copy to:

The Accountant General, Telangana, Hyderabad.
The Pay & Accounts Officer, Telangana State, Hyderabad.
The Director of Treasuries & Accounts, Telangana State, Hyderabad
The Finance (BG) Department.
The Finance (EBS.II) Department.
SC/SF

//Forwarded::By order//

SECTION OFFICER